



**Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

AGENDA ITEM NO.: 49
AGENDA DATE: Thu 04/28/2005
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SUBJECT: Set a public hearing on an ordinance consenting to the creation of Winfield Municipal Utility Districts Nos. 1, 2, 3, and 4 to be developed within a tract of land of approximately 2,428 acres generally located within Travis and Hays counties, 1.5 miles east of IH-35, south of Turnersville Road, east of County Road 118, north of County Road 107, and west of South Turnersville Road; under substantially the same terms and conditions as indicated in the attached Consent Agreement between Winfield Municipal Utility Districts Nos. 1, 2, 3, and 4, 2428 Management, L.L.C., and the City of Austin, including a requirement to enter into a Strategic Partnership Agreement ("SPA") under substantially the same terms and conditions as indicated in the attached draft SPA with Winfield Municipal District 2 ("MUD 2") providing for the delayed annexation of MUD 2, the City's collection of sales tax within MUD 2, and addressing other administrative issues between the City of Austin and MUD 2; and authorizing commencement of the SPA approval process when MUD 2 has been created. (Suggested date and time: May 19, 2005 at 6:00 p.m., City Hall Council Chambers, 301 West 2nd Street)

AMOUNT & SOURCE OF FUNDING: N/A

FISCAL NOTE: There is no unanticipated fiscal impact. A fiscal note is not required.

REQUESTING Neighborhood Planning **DIRECTOR'S**
DEPARTMENT: and Zoning **AUTHORIZATION:**

FOR MORE INFORMATION CONTACT: Virginia Collier, 974-2022; Sylvia Arzola, 974-6448

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: N/A

On August 5, 2004, 2428 Partners, L.P. ("Developer") filed a petition at the Texas Commission on Environmental Quality ("TCEQ") to create the Winfield Municipal Utility Districts 1, 2, 3, and 4 ("MUDs") to be developed within a tract of land of approximately 2,428 acres generally located within Travis and Hays counties, 1.5 miles east of IH-35, south of Turnersville Road, east of County Road 118, north of County Road 107, and west of South Turnersville Road (see the attached map). The MUDs' proposed development would serve approximately 9,000 Living Unit Equivalents ("LUEs"). The proposed land use for the MUDs include: single-family and commercial development within MUD 1; office and industrial development within MUD 2; and single-family development within MUDs 3 and 4.

Following creation of the MUDs, the City and the MUD will negotiate a Strategic Partnership Agreement leading to limited purpose annexation and the collection of sales and use taxes.

Also, following creation of the MUDs, it is anticipated that the City will release to MUDs 3 and 4 to Buda with the exception of a strip of ETJ linking the recharge zone west of Buda with the balance of the City's ETJ. The ETJ release will leave the City with MUD 2. MUD 2 is entirely non-residential. A zoning case will be filed by the developer at the time of limited purpose (LP) annexation. Prior to LP annexation, the land use will be controlled by the MUD land use plan.